



STEVE COOLEY  
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER  
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

February 21, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

40 February 21, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**AMENDED FEDERAL EQUITABLE SHARING AGREEMENT AND ANNUAL CERTIFICATION  
REPORT FOR FISCAL YEAR 2010-2011 (ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

Amended Federal Equitable Sharing Agreement and Annual Certification Report for Fiscal Year 2010-2011.

**IT IS RECOMMENDED THAT YOUR BOARD:**

Authorize the Chair to sign the attached Amended Federal Equitable Sharing and Annual Certification Report to reflect the amended amount of program funds spent for Fiscal Year 2010-2011.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On August 23, 2011, your Board approved an Annual Federal Equitable Sharing Agreement and Certification Report for Fiscal Year (FY) 2010-2011 which reported the total Federal Equitable Sharing funds received and interest earned for the fiscal year; however, during a review by the Auditor-Controller's Office, the interest calculation was revised. This amended report is required to reflect the correct total of Federal Equitable Sharing funds spent for the fiscal year.

**Implementation of Strategic Plan Goals**

Participation in the Federal Equitable Sharing Program is consistent with the County's Strategic Plan Goal No. 5, Public Safety, by ensuring that the committed efforts of the public safety partners continue to maintain and improve the safety and security of the people of Los Angeles County, by using funds for law enforcement operation costs that enhance the quality of criminal investigations

for prosecution.

### **FISCAL IMPACT/FINANCING**

For FY 2010-2011, the amount of \$1,076,406.63 in Federal Equitable Sharing funds was originally reported. The amended report reflects a total of \$1,061,420.96, a difference of \$14,985.67.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Federal Equitable Sharing funds received from the Federal Equitable Sharing Program were deposited into a District Attorney Special Fund for asset forfeitures. The Auditor-Controller reviewed the fund transactions for FY 2010-2011 and revised the interest calculation by \$14,985.67. As recommended by the Auditor-Controller's Office, the District Attorney's Office requested a separate interest-bearing fund for the Federal Equitable Sharing Program. A new fund was established beginning July 1, 2011, and activity will be included on the quarterly Asset Forfeiture Report to your Board from the Auditor-Controller.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

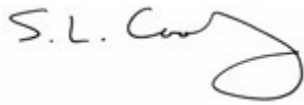
This program does not propose attorney staff augmentation. Therefore, the District Attorney's Office is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Department.

### **CONCLUSION**

It is requested that the Executive Officer-Clerk of the Board request the Chair to sign the attachments and return an adopted copy of this Board letter and the Federal Equitable Sharing Agreement and Annual Certification Report, with original signatures, to Corina Masoni, Accounting Section, District Attorney's Office, 201 North Figueroa Street, Suite 1300, Los Angeles, California 90012. Any questions may be directed to Ms. Masoni at 213-202-7653 or via email at [cmasoni@da.lacounty.gov](mailto:cmasoni@da.lacounty.gov).

The Honorable Board of Supervisors  
2/21/2012  
Page 3

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "S.L. Cooley". The signature is fluid and cursive, with a large, stylized loop at the end.

STEVE COOLEY  
District Attorney

no

Enclosures

c: Chief Executive Officer  
County Counsel



## Equitable Sharing Agreement and Certification



OMB Number 1123-0011  
Expires 7-31-2011

- ☐ Police Department ☐ Sheriff's Office ☐ Task Force (Complete Table A, page 2)  
☒ Prosecutor's Office ☐ Other (specify) \_\_\_\_\_

**Agency Name:** LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

**NCIC/ORI/Tracking Number:** C A 0 1 9 1 5 3 A

**Street Address:** 201 N. Figueroa Street, Suite 1300

**City:** Los Angeles **State:** CA **Zip:** 90012

**Contact:** Title: Mr. First: Norbert Last: Ruiz

**Contact:** Phone: 213-202-7655 E-mail: nruiz@da.lacounty.gov

☐ Same as Contact **Preparer:** First: Corina Last: Masoni  
**Preparer:** Phone: 213-202-7653 E-mail: cmasoni@da.lacounty.gov

**Last Fiscal Year End:** 06/30/2011 **Agency Current Fiscal Year Budget:** \$320,391,000.00

- ☐ **New Participant:** Read the Equitable Sharing Agreement (page 5) and sign the Affidavit (page 6)  
☐ **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6)  
☒ **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6).

### Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds <sup>1</sup>	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$0.00	\$0.00
2	Federal Sharing Funds Received	\$926,716.87	\$21,752.75
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)	\$111,350.29	\$1,302.67
4	Other Income	\$0.00	\$0.00
5	Interest Income Accrued Non-Interest Bearing <input type="radio"/> Interest Bearing <input checked="" type="radio"/>	\$298.38	\$0.00
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$1,038,365.54	\$23,055.42
7	Federal Sharing Funds Spent (total of lines a - m below)	\$1,038,365.54	\$23,055.42
8	Ending Balance (difference between line 7 and line 6)	\$0.00	\$0.00

<sup>1</sup> Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

<sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

Summary of Shared Monies Spent		Justice Funds	Treasury Funds
a	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the <i>Justice Guide</i>		
b	Total spent on overtime		
c	Total spent on informants, "buy money," and rewards		
d	Total spent on travel and training	\$192,878.58	\$23,055.42
e	Total spent on communications and computers	\$539,696.67	\$0.00
f	Total spent on weapons and protective gear		
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements		
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 3)		
j	Total spent on other law enforcement expenses (complete Table D, page 3)	\$305,790.29	
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)		
l	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)		
m	Total spent on matching grants (complete Table G, page 3)		
n	<b>Total</b>	\$1,038,365.54	\$23,055.42
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, complete Table H, page 3.		

Please fill out the following tables, if applicable.

**Table A: Members of Task Force**

Agency Name	NCIC/ORI/Tracking Number

**Table B: Equitable Sharing Funds Received from other Agencies**

Total the amount transferred to each agency on separate lines

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: SAN BERNARDINO SHERIFF'S DEPARTMENT		
NCIC/ORI/Tracking Number: C A 0 3 6 0 0 0 0	\$21,352.00	\$0.00
Agency Name: LA COUNTY SHERIFF'S DEPT - CALMET		
NCIC/ORI/Tracking Number: C A 0 1 9 0 0 3 6	\$35,886.78	\$0.00
Agency Name: LA IMPACT		
NCIC/ORI/Tracking Number: C A 0 1 9 2 K O X	\$54,111.51	\$1,302.67

**Table C: Equitable Sharing Funds Transferred to Other Agencies**

Total the amount transferred to each agency on separate lines

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>		
NCIC/ORI/Tracking Number: <input type="text"/>		

**Table D: Other Law Enforcement Expenses**

Description of Expense	Justice Funds	Treasury Funds
Law Enforcement Training Officer	\$226,407.00	
Law Enforcement Vehicle Equipment	\$79,383.29	

**Table E: Expenditures in Support of Community-based Programs**Refer to § VIII.A.1.m and Appendix C of the *Justice Guide*

Recipient	Justice Funds	
<input type="text"/>		

**Table F: Windfall Transfers to Other Government Agencies**Refer to § VIII.A.1.n of the *Justice Guide* and pp. 25-26 of the *Treasury Guide*

Recipient	Justice Funds	Treasury Funds
<input type="text"/>		

**Table G: Matching Grants**Refer to § VIII.A.1.h of the *Justice Guide* and p. 22 of the *Treasury Guide*

Matching Grant Name	Justice Funds	Treasury Funds
<input type="text"/>		

**Table H: Other Non-Cash Assets Received**

Source	Description of Asset
Justice <input type="radio"/>	<input type="text"/>
Treasury <input type="radio"/>	

**Table I: Civil Rights Cases**

Name of Case	Type of Discrimination Alleged			
Dimitrios Biller V. County of Los Angeles, et al	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other	
David Eng V. County of Los Angeles, et al	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input checked="" type="checkbox"/> Other Retaliation	

### Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, Program Management and Strategic Planning Unit, 1400 New York Avenue, N.W., Second Floor, Washington, DC 20005.

# Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

**1. Submission.** This Document must be submitted to [aca.submit@usdoj.gov](mailto:aca.submit@usdoj.gov) within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature page (page 6) submitted by fax. This will constitute submission to the Department of Justice and the Department of Treasury.

**2. Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

**3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.

**4. Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of Treasury, depending on the source of the funds, that the receiving agency is a federal Equitable Sharing Program participant and has a current Equitable Sharing Agreement and Certification on file.

**5. Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public monies as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

**6. Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.



# Affidavit - Amended Form

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

**During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?**      ☒ Yes    ☐ No

**If you answered yes to the above question, complete Table I**

## Agency Head

See ¶ 2 on page

Signature: S.L. Cooley  
Name: STEVE COOLEY  
Title: DISTRICT ATTORNEY  
Date: 2/09/12

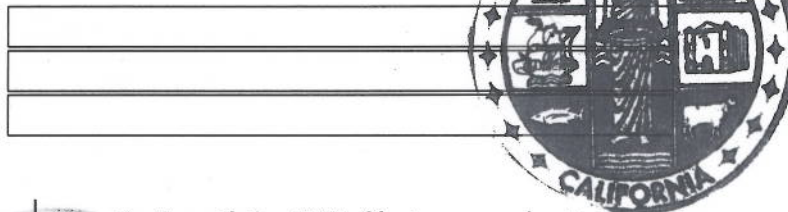
## Governing Body Head

See ¶ 2 on page

Signature: Zev Yaroslavy  
Name: ZEV YAROSLAVSKY  
Title: CHAIR  
Date: 2/23/12

## Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.



## Final Instructions:

Step 1: Click to save for your records

Step 2: Click to save in XML format

Step 3: E-mail the XML file to [aca.submit@usdoj.gov](mailto:aca.submit@usdoj.gov)

Step 4: Fax THIS SIGNED PAGE ONLY to (202) 616-1344

### FOR AGENCY USE ONLY

Entered by \_\_\_\_\_

Entered on \_\_\_\_\_

☐ FY End: 06/30/2011

Date Printed: February 07, 2012 11:00

☐ NCIC: CA010153A Agency: LOS ANGELES COUNTY DISTRICT ATTORNEY'S Office Phone: 213-202-7655

☒ State: CA Contact: Norbert Ruiz

E-mail: [nruiz@da.lacounty.gov](mailto:nruiz@da.lacounty.gov)

**APPROVED AS TO FORM:**

BY: [Signature]

# Attidvif - Amended Form

Under penalty of perjury, the undersigned officials certify that they have read and understand their obligations under the Edulable Sharing Agreement and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the Justice and/or Treasury Grants during the reporting period and that the Agency is in compliance with the National Code of Professional Conduct for Court Officers.

The undersigned certify that the Agency is in compliance with the nondiscrimination requirements of the following laws and their implementing regulations: Title V of the Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.). The Agency agrees that it will comply with all on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators to use to records and any other source of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year, (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above, or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

☒ Yes ☐ No

If you answered yes to the above question, complete Table 1

Agency Head	Signature	Name	Title	Date
Governing Body Head		SEVY KOSIARSKY	CHAIR	2/23/12
Agency Head		STEVE COOPER	DISTRICT ATTORNEY	2/20/12



I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHIA A. HAMAI  
Executive Officer  
Clerk of the Board of Supervisors

By Lachelle Amitherman  
Deputy  
FEB 21 2012



**ADOPTED**  
BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

40 FEB 21 2012

Sachia A. Hamai  
SACHIA A. HAMAI  
EXECUTIVE OFFICER

APPROVED AS TO FORM

BY [Signature]